



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,264	06/24/2003	Todd A. McGarvey	5003073-016US2	1410
29737	7590	09/19/2005	EXAMINER	
SMITH MOORE LLP P.O. BOX 21927 GREENSBORO, NC 27420			BARRY, CHESTER T	
			ART UNIT	PAPER NUMBER
			1724	

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT PAPER

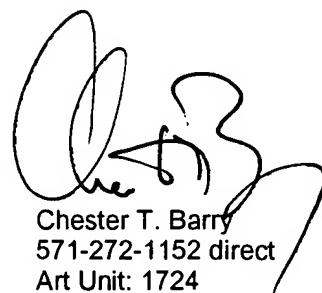
20050914

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 8/4/05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant failed to point out how the proposed amendments overcome the applied prior art. See 37 CFR 1.111. To the extent that applicant believes such remarks are not necessary in light of the examiner's remarks about the art not showing the presence of a water/oil emulsion in the hopper apparatus, please note 1) the examiner wrote of an emulsion, not a mixture, and 2) no provision of 37 CFR 1.111 relieves applicant of his duty to specifically point out how the amended claim distinguishes over the applied art should the examiner have noted what is not taught by a reference. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).



Chester T. Barry
571-272-1152 direct
Art Unit: 1724

